

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Respondent,

v.

KEITH EDGERSON,

Petitioner.

Civil No. 08-15081
Crim. No. 05-80763
Hon. Lawrence P. Zatkoff

ORDER ADOPTING REPORT AND RECOMMENDATION

Petitioner, proceeding pro se, filed a motion to vacate sentence under 28 U.S.C. § 2255 [dkt 42]. The matter is currently before the Court on Magistrate Judge Whalen's Report and Recommendation [dkt 45], in which the Magistrate Judge recommends that the motion be denied.

After receiving an extension of time, Petitioner filed objections to the Report and Recommendation, although it appears that the objections were mailed directly to the Court rather than filed on the docket. Having reviewed Petitioner's submission, the Court finds that the submission merely restates Petitioner's arguments, and it does not specifically object to any portion of the Report and Recommendation as required. *See McCready v. Kammings*, 113 Fed. Appx. 47, 49 (6th Cir. 2004) ("Failure to identify specific concerns with a magistrate judge's report results in treatment of a party's objections as a general objection to the entire magistrate judge's report."); *Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505, 509 (6th Cir. 1991) ("A general objection to the entirety of the magistrate's report has the same effects as would a failure to object.").

The Court has thoroughly reviewed the court file, the Report and Recommendation, and

Petitioner's objections. As a result of that review, the Court ADOPTS the Report and Recommendation and enters it as the findings and conclusions of this Court. Accordingly, IT IS HEREBY ORDERED that Petitioner's motion to vacate sentence [dkt 42] is DENIED and this action is DISMISSED WITH PREJUDICE.

Because the failure to file specific objections waives any further right to appeal, *see Howard*, 932 F.3d at 508, the Court DENIES Petitioner a certificate of appealability and permission to proceed *in forma pauperis* on appeal.

IT IS SO ORDERED.

s/Lawrence P. Zatkoff
LAWRENCE P. ZATKOFF
UNITED STATES DISTRICT JUDGE

Dated: June 22, 2010

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of this Order was served upon the attorneys of record by electronic or U.S. mail on June 22, 2010.

s/Marie E. Verlinde
Case Manager
(810) 984-3290